

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1-4 and 6-8 will be pending in the application subsequent to entry of this Amendment.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention, namely by specifying that the claimed resin composition is devoid of lead and lead alloys. Basis for this appears throughout the description of the invention and in particular the first line of page 3 of the specification.

Claim 5 was the subject of an objection of being an improper dependent claim. Claim 5 has been rewritten as an independent claim, new claim 7, and new claim 8 has been added which corresponds to original claim 6 but dependent from new claim 7. The subject matter of claim 5 related to low molecular weight polytetrafluoroethylene which is a material that is unique and different from PTFE which forms the “balance” of the resin composition. Low molecular weight PTFE is discussed in the specification at page 10, second paragraph, and is available from a variety of manufacturers. Claim 5 is the subject of a separate prior art rejection (*see* item 8 of the Official Action) in which the examiner refers to U.S. patent 5,906,967 to Kato et al which concerns among other things low molecular weight PTFE.

The Official Action includes four separate prior art-based rejections, items 6-8, all of which are based upon U.S. 5,732,322 to Nakamura et al either by itself or in combination with secondary references. All four of these rejections are faulty because Nakamura requires the presence of lead, tin or a lead-tin alloy or mixtures thereof which are not part of the compositions of the present application as the amended and new claims clearly state above.

In Nakamura, the component C (lead, tin, lead-tin alloy or mixture thereof) is a required component. In the present invention, Nakamura is acknowledged as a prior art (*see* paragraph [0003] in US2007/0021544, corresponding to JP 08-41484) as containing lead or a lead alloy, ingredients to be excluded/removed in the present invention.

On the other hand, in the present invention, as clearly stated in paragraphs [0004] and [0005], “lead or lead alloys have been extensively used as fillers for enhancing a wear resistance of a resin layer formed therefrom, however, in recent years, lead-free materials have been rapidly developed in the consideration of avoiding environmental problems, and the development of lead-free materials has also been demanded in the application field of the above resin

compositions for sliding members, namely, since the lead or lead alloys are substances having an adverse influence on environment, the use thereof must be prohibited in the consideration of preventing environmental pollution and public nuisance, therefore, it has been strongly demanded to provide such a PTFE resin composition for sliding member which is capable of exhibiting friction and wear characteristics identical to or more excellent than those of conventional lead-containing resin compositions **without using lead or lead alloys therein.”**
(emphasis added)

The resin composition in Comparative Example 3 of the present application contains lead and this is the same composition described in Nakamura. In the present invention, equal or more excellent properties than those of Nakamura can be attained although no lead or lead alloys are used.

Nakamura discloses a resin composition comprising component A selected from group consisting essentially of phosphates and barium sulfate, component B selected from the group consisting of magnesium silicate and mica, component C selected from the group consisting of lead, tin, lead-tin alloy and a mixture thereof, and the balance of polytetrafluoroethylene. However, as acknowledged in the Official Action in Nakamura, there is no description of the use of phosphates and barium sulfate in combination. Also, in the composition of Nakamura, the component C containing lead is an essential component.

Therefore, one of ordinary skill in the art would not expect the resin composition according to the present invention – which contain no lead – to exhibit properties equal to or more excellent than the lead-containing ones of Nakamura.

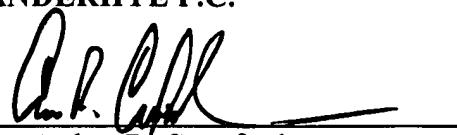
For the above reasons all four of the separate prior art-based rejections stated in the Official Action are defective as they are based upon a reference that includes as a required ingredient components that are specifically excluded from the claims of the present application. Reconsideration and withdrawal of all four rejections is appropriate. Should the examiner require further information, please contact the undersigned.

YANASE et al.
Appl. No. 10/563,863
September 12, 2008

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100